

THE LARUSSO LAW FIRM

Attorneys at Law
666 Old Country Road, Suite 501
Garden City, N.Y. 11530
516-248-3520
robert@rlarussolaw.com

February 7, 2023

Filed on ECF

Honorable Joan M. Azrack
United States District Court Judge
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: United States v. John Quadrino
Criminal Docket No. 17-153(DRH)

Dear Judge Azrack:

I am the attorney for John Quadrino ("Quadrino"), and respectfully request a further adjournment of the defendant's sentence scheduled for next week, February 15, 2023.

In our prior request for a sentence adjournment, we asked the court's permission to await the result of a criminal prosecution in Nassau County wherein Mr. Quadrino is charged with the theft of \$61,968.34. Though the state case is scheduled for February 14, 2023, there has been no decision made to dismiss the case, and my client believes a final adjournment of the state case will occur on February 14, 2023, necessitating a last-minute plea to adjourn the federal matter. The importance of first obtaining a dismissal of the state case was emphasized when the government pointed out in its sentence memorandum that "the defendant poses a recidivist risk . . . [t]hus specific deterrence counsels toward a **significant sentence** in this case." (See, page 5 of the Government Letter dated October 31, 2022)(Emphasis added). These remarks and the question whether the defendant committed the offense are significant sentencing concerns.

Mr. Quadrino has been seeking a dismissal of the state charges because Mr. Quadrino was, in fact, authorized to withdraw the funds from company accounts, and has presented proof of his innocence, to the District Attorney's Office for its consideration of an outright dismissal of the charges.

As we earlier mentioned to the Court, in presenting the open state charges in its sentencing letter, the government has sought to negate the defendant's efforts over the last five years to demonstrate his commitment to rehabilitation by working hard, living a law abiding life, trying to support his family, and demonstrating to the Court, by such conduct, that he does not pose a risk of recidivism negating the government's argument that a **significant sentence** is warranted to serve as specific deterrence to future crimes.


Both the Government and the defendant spent considerable time resolving "open" factual issues to avoid a Fatico hearing, and we respectfully request the opportunity to remove the issue of the charges in the state case before sentence.

Assistant U.S. Attorney Mark E. Misorek has no objection to our request. I have also contacted co-counsel Gail Laser and our client, and they have agreed with my application for an adjournment.

Based upon the above, we respectfully request that the defendant's sentence be adjourned for 45 days to a date and time convenient to the Court.

Thank you for your consideration of our application.

Respectfully submitted,


Robert P. LaRusso

cc: Mark E. Misorek
Assistant U.S. Attorney
Eastern District of New York)
(by ecf)